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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,471	10/24/2003	Seiji Iida	1001-023	2559
26272	7590	03/22/2007	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C.			SELBY, GEVELL V	
JOHN J TORRENTE			ART UNIT	PAPER NUMBER
1133 AVE OF THE AMERICAS			2622	
NEW YORK, NY 10036				
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE		DELIVERY MODE	
3 MONTHS	03/22/2007		PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/693,471	IIDA, SEIJI	
	Examiner Gevell Selby	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 October 2003 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1, 5, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Ouchi et al., US 2005/0179779.**

In regard to claim 1, Ouchi et al., US 2005/0179779, discloses a lens apparatus comprising:

a lens (see figure 2, element 31);  
a lens (see figure 2, element 11) holding member which holds the lens (see para. 37);  
a stop blade (see figure 2, element 34) which changes an area of a light-passing aperture (see para. 41);  
an optical filter (see figure 2, element 33) which inserts and removes with respect to a region opposed to the light-passing aperture (see para 40); and

a shutter blade (see figure 2, element 35) which opens and closes the light-passing aperture (see para. 42),

wherein at least one member of the stop blade, the optical filter and the shutter blade is arranged at one end side of the lens holding member and the other member is arranged at the other end side of the lens holding member (see figure 2: the stop blade or diaphragm blades (34) are located on the front end side while the optical filter 33 is located on the rear end side).

In regard to claim 5, Oochi et al., US 2005/0179779, discloses a camera comprising:

a lens (see figure 2, element 31);

a lens (see figure 2, element 11) holding member which holds the lens (see para. 37);

a stop blade (see figure 2, element 34) which changes an area of a light-passing aperture (see para. 41);

an optical filter (see figure 2, element 33) which inserts and removes with respect to a region opposed to the light-passing aperture (see para 40); and

a shutter blade (see figure 2, element 35) which opens and closes the light-passing aperture (see para. 42),

an image pickup element (see figure 2, element 12) which photoelectrically converts an object image formed by the lens into an electric signal (see para. 24),

wherein at least one member of the stop blade, the optical filter and the shutter blade is arranged at one end side of the lens holding member and the other member is arranged at the other end side of the lens holding member (see figure 2: the stop blade or diaphragm blades (34) are located on the front end side while the optical filter 33 is located on the rear end side).

In regard to claim 9, Oochi et al., US 2005/0179779, discloses a camera system comprising:

the lens apparatus according to claim 1 (see the explanation regarding claim 1 above); and  
a camera (see figure 2, element 1) comprising an image pickup element (see figure 2, element 12) which photoelectrically converts an object image formed by lens in the lens apparatus into an electric signal (see para. 24).

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 2, 3, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oochi et al., US 2005/0179779, in view of Nerwin v. Erlichman, 168 USPQ 177, 179 (PTO Bd. Of Int. 1969) and In re Japikse, 86 USPQ 70 (CCPA 1950).**

In regard to claims 2 and 6, Oochi et al., US 2005/0179779, discloses the lens apparatus and camera according to claims 1 and 5, respectively, further comprising:

- a stop driving unit (see figure 2, element 44) which drives the stop blade;
- a filter driving unit (see figure 2, element 43) which drives the optical filter; and
- a shutter driving unit (see figure 2, element 45) which drives the shutter blade.

The Oochi reference does not disclose wherein the stop driving unit, the filter driving unit and the shutter driving unit are arranged on outside of the lens holding member and between one member and the other member.

It would have been obvious to one having ordinary skill in the art to separately arranged the stop driving unit, the filter driving unit and the shutter driving unit outside of the lens holding member and move them between one member and the other member, since it has been held to be within the general skill of a worker in the art to make parts separate as well as to shift the location of parts as a matter of obvious engineering choice.

Nerwin v. Erlichman, 168 USPQ 177, 179 (PTO Bd. Of Int. 1969) and In re Japikse, 86 USPQ 70 (CCPA 1950).

In regard to claims 3 and 7, Oochi et al., US 2005/0179779 discloses the lens apparatus and camera according to claims 2 and 6, wherein it is implied by the modified Oochi reference that the stop driving unit, the filter driving unit and the shutter driving unit are arranged in the circumferential direction of the lens holding member, since they are now on the outside of the lens holder 11 (see figure 2).

**6. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oochi et al., US 2005/0179779 in view of Yamada et al., US 6,753,911.**

In regard to claims 4 and 8, Oochi et al., US 2005/0179779, discloses the lens apparatus and camera according to claims 1 and 5, respectively. The Oochi reference does not disclose further comprising: a first member which rotates around an optical axis and transmits a driving power to the lens holding member; and a second member which includes a first engaging portion to guide the lens holding member in the direction of the optical axis, wherein the lens holding member includes a second engaging portion which extends in the direction of the optical axis and engages with the first engaging portion.

Yamada et al., US 6,753,911, discloses a zoom lens barrel and camera comprising:

a first member (see figure 1, element 41) which rotates around an optical axis and transmits a driving power to the lens holding member (see column 8, lines 12-37); and

a second member (see figure 1, element 51) which includes a first engaging portion (see figure 1, element 52) to guide the lens holding member in the direction of the optical axis (see column 8, lines 37-41),

wherein the lens holding member (see figure 1, element 81) includes a second engaging portion (see figure 1, element 60) which extends in the direction of the optical axis and engages with the first engaging portion (see column 8, lines 53-57).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Ouchi et al., US 2005/0179779 in view of Yamada et al., US 6,753,911, to have a first member which rotates around an optical axis and transmits a driving power to the lens holding member; and a second member which includes a first engaging portion to guide the lens holding member in the direction of the optical axis, wherein the lens holding member includes a second engaging portion which extends in the direction of the optical axis and engages with the first engaging portion, in order to provide a zoom lens barrel which can easily be applied to a camera excellent in portability, by making a zoom lens which can cause a camera to be large in size, to be accommodated easily in the camera's main body, providing a more compact storage.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2001/0038414, discloses an image device with a lens system containing a shutter, aperture, and filter.

US 2001/007662, discloses a lens frame guiding mechanism of a zoom lens.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



VIVEK SRIVASTAVA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600